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Written statement* submitted by the Human Rights League of the Horn of Africa, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[27 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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THE ETHIOPIAN GOVERNMENTCONTINUES COMMITTING CRIMES AGAINST HUMANITY WITH IMPUNITY

With the Terror Law Proclamation of 2009, which declared three Ethiopian opposition Political groups- namely the Oromo Liberation Front **(OLF), the** Ogaden National Liberation Front **(ONLF)** and **Ginbit-7 "terrorists",** remaining in effect despite pleas from numerous national and international human rights organizations, the Ethiopian government continued cracking down on whoever protests against its repressive rules. The Proclamation fully contradicts the whole catalogue of human and legal rights stipulated inthe Ethiopian Constitution. Citizens have no freedom to express their views or meet in public, and whoever dares to defy the Proclamation is charged with being a terrorist or affiliated with a terror group, subsequent to which s/he is thrown into jail without the right to bail. As a result, the numbers of political prisoners held in Ethiopian prisons and makeshift sites have reached an unprecedented level, forcing the government to starve other sectors of the economy in order to build new prisons. The number of political prisoners in the country remains secret as the government denies holding any, even though a few weeks back and under pressure from the public, it declared that it would soon release all political prisoners. The promise, however, was not kept as it released only 153 prisoners out of the thousands held in federal government prisons. Prominent opposition party leaders like BekeleGerba, AndargachewTsigie and journalists like EskendirNegahave remained imprisoned.

The judiciary remains as dependent as ever and Court rulings are far from being fair. In most cases, the judges were given orders by authorities in the ruling party to sentence alleged political figures to a certain number of years, although it is evident that the charges were fabricated. In cases where some independent judges dared to release political prisoners on bail, as happened with the case of Mr. BekeleGerba, it was the prison officials, with a link to the ruling party officials, who defied the court ruling and kept the prisoner. At the time of this writing and for almost a year now, Mr. Gerbastill languishes in prison not knowing what the future may hold for him. Some political prisoners who were on the list of those to be released from prisons following the announcement by the government were kept behind, and brought to court where they were sentenced for violations of the norms of the Proclamation on Terror. This is just one indication that the Ethiopian judiciary is completely under the control of the government.

The government is targeting the non-EPRDF member citizens in general, and the youth in particular, who have been fighting for equality and justice for almost a decade now. The citizens, however, have continued with their peaceful uprising for an unprecedented three years in a row since November 2015, unifying the people of all ages and from all corners. During these three years of continuous protests, over 4,000 citizens have been killed, thousands others injured, and unknown numbers forcefully disappeared. The civilian police and the military killed over 700 Oromos on October 2, 2016 alone during the celebration of Irrecha, the Oromo Thanksgiving festival.

After all these cruel actions of the government, the Oromo people didn't give up their demands for equality and justice and continued their peaceful protests. Unable to suppress the uprising, the government declared-on October 8, 2016-a six- month state of emergency which *de jure* suspended all constitutional rights. With a pretext of participating in protests, over 70,000 Oromos were thrown into prison and military camps and kept in inhumane and degrading conditions. Some 30,000 were released, but many Oromos remain detained in unknown locations and without official charges.

Although the government officially admitted that the mass uprising was the result of failure on its part to deliver good governance, it continued arresting and killing civilian demonstrators and ignoring their legitimate demands for equality and justice. It is reported that during the 2017 civilian demonstrations alone in Oromia and Amhara regions, more than 1,000 persons were killed. Since the beginning of 2018, the security forces killed nearly 100 persons during demonstrations in these two regions.

The killings, beatings and imprisoning of the citizens in Ethiopia didn't stop them from demanding equality, justice and freedom. To silence the grievance of the citizens by military force, the government created on November 12, 2017 the so- called **"National Security Council"** led by the Defense Minister who declared *de facto* military rule. Following the decision, the government deployed its military force into the Oromo and Amhara Regional States to effect repression. The **National Security Council-** which is led by the Defense Minister SirajFegessa- has controlled the regional states' police and security activities, paralyzing regional police and security institutions, in violation of article 39(3)1 of the Ethiopian constitution of 1995 which stipulated that "Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments".

The Federal government, in its attempt to engage the different ethnic groups (nations and nationalities) against each other and rule them as divided entities, encouraged the Somali Regional government to declare an outright war against the adjacent Oromo people as a result of which nearly one million Oromos were forced to leave their homes and villages. The government, although admitting for the first time in its history that Internally Displaced Persons (IDPs) existed on its territory, deprived the displaced of the right to access food, shelter and water by blocking access roads as well as making them unsafe for humanitarian relief workers. As a result, the million displaced people had to seek permanent settlement in other parts of Oromia, with the help of Oromo Nation and regional authorities without the involvement of the Federal government.

Conditions in Ethiopian prisons remain the same as we last reported in 2017 at the UN Human Rights Council 34th Session. Political prisoners have the right to a reasonable space/room for sleeping, access to daylights, to proper sanitation and family visits as well as meeting with their respective lawyers. In one of the worst correctional facilities in the world, none of these have been afforded. The level of torture, as reported by those who were recently released from these prisons, is simply unbearable. The government continues to deny access to international human rights organizations, the UN Human Rights Special Rapporteurs and the ICRC, whose report could have shed more light on the situations in the prisons.

The economic situation in the country is going from bad to worse. With the "developmental state economic policy" of the government, the few at the top amassed the entire wealth of the nation leaving the population in abject poverty. Graduates of the various universities can hardly find jobs in the country, and as and when they take their frustration to the streets, the security forces are meeting them with live bullets. All in all, the security situation and the physical safety of the youth in the country remain un-secured, resulting in a mass exodus of the entire young generation leaving illegally in search of a better life elsewhere. In doing so, hundreds are being drowned in the Red Sea or the Mediterranean, while some others end up being hostages of human traffickers and organ collectors in the Sinai or the Sahara. Young girls are lured into the criminal world and remain exploited by human traffickers in Middle Eastern countries.

The HRLHA once again renews its calls to the international community to act collectively in a timely and decisive manner – through all available mechanisms of the United Nations in accordance with the UN charter to stop the Ethiopian government's assaults on its own citizens before it is too late. Based on the 2005 World Summit Outcome Document Paragraphs 138 and 139 on the Responsibility to Protect (R2P)2, the international community has the responsibility and the mandate to use appropriate actions, diplomatic, humanitarian and other available means to protect the people who are only demanding their fundamental human rights as recognized by the United Nations. It is not a new practice of the United Nations that when States violate the terms of the social contract they have with their own population, it has always been the responsibility of the international community to step in and save the defenseless

1 Proclamation No. 1/1995 Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia http://www.ethiopianembassy.be/wp-content/uploads/Constitution-of-the-FDRE.pdf

2 Responsibility to Protect (R2P), http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html

civilians from being exterminated, as is the case now in Ethiopia. *When the State is unable or unwilling to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing,* the international community has the responsibility to intervene.